

R E M A R K S

This is in response to the Office Action that was mailed on January 7, 2005. Non-elected claims 36 and 37 are cancelled, without prejudice. A minor clerical error is corrected in the specification. It is apparent that the monocyclic C<sub>4-16</sub>cycloalkane is a substrate rather than an oxidation product. Claim 1 is amended to clarify differences between the present invention and the Foricher disclosure. Specifically, it is specified in claim 1 that in the case where the solvent for crystallizing the imide compound is the hydrocarbon or the chain ether, the substrate is a monocyclic C<sub>4-16</sub>cycloalkane and the reaction is an oxidation reaction. This amendment is based upon such disclosure as that in lines 20-24 on page 48 of the specification. Having made this amendment with respect to the hydrocarbon and chain ether solvent embodiments of the present invention, claim 1 deletes the unnecessary clause "wherein the hydrocarbon is ... either a bridgehead position or junction position or both" from the definition of the substrate in the case where the crystallizing solvent is water. Minor formal amendments are made to claim 2. No new matter is introduced by this Amendment. Entry of this Amendment – in order to place the application into condition for allowance or into better condition for appeal – is respectfully solicited. With this Amendment, claims 1-3 and 18 are pending in the application.

Claims 1-3 and 18 had been rejected under 35 U.S.C. 102(b) as being anticipated by US 5,030,739 (Foricher). It is respectfully submitted that the rejection is not applicable to the claims as amended herein.

Foricher fails to teach or suggest the employment of water for crystallizing an imide compound from a reaction mixture. Foricher also fails to teach or suggest the employment of a hydrocarbon and/or a chain ether as a crystallization solvent for use with an oxidation product of a monocyclic C<sub>4</sub>-16cycloalkane.

Foricher employs a **non-polar** solvent for crystallizing an imide catalyst from a product obtained by using a special isoprenoid substrate. The use of a **polar** solvent – such as water – for crystallization of an imide is not suggested by Foricher. Moreover, since a monocyclic C<sub>4</sub>-16cycloalkane substrate is clearly different from the isoprenoid substrates in Foricher, it could not be predicted from the Foricher disclosure whether hydrocarbon and/or chain ether solvents are suitable for crystallization of imides from products obtained by oxidation of a monocyclic C<sub>4</sub>-16cycloalkane. Thus the present invention is not predictable from the Foricher disclosure.

Also, the present invention provides unexpected results. That is, according to Foricher, since Foricher employs special isoprenoids as a

substrate, the product and the catalyst cannot be efficiently separated in a simple manner. As is apparent from the Examples of Foricher, the imide compound is recovered through evaporation, tetrachloromethane-treatment, heating, cooling, washing, and drying. Moreover, the product is separated by evaporating the filtrate after recovering the imide compound, dissolving under heating, cooling, acetic anhydride-treatment, standing, concentrating, methanol-treatment under heating, cooling, filtrating, washing, acetone-treatment under reflux, and so on. In contrast, in accordance with the present invention, as is apparent from the present Examples, the imide compound can be simply separated from the product by a crystallization step, using the specified solvent. This simple, elegant process is totally unexpected based upon the Foricher disclosure.

Withdrawal of the rejection of record, and passage of this application to Issue, is respectfully solicited.


The Examiner is invited to contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008 with any questions.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 CFR 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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